

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRR-2244-2019 (O&M)
Date of Decision:-10.12.2019

Shahrukh Khan @ Sharukh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mohit Garg, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana,
assisted by ASI Poonam.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking setting aside of order dated 21.8.2019 passed by learned Additional Sessions Judge (Exclusive Court for Heinous Crimes Against Women and Children), Yamuna Nagar at Jagadhri, whereby an appeal filed by him challenging order dated 1.8.2019 passed by learned Principal Magistrate, Juvenile Justice Board, Yamunanagar declining his application for grant of bail, has been dismissed.
2. The allegations, in nutshell, are that the petitioner who resides in the neighbourhood used to harass complainant's daughter and used to commit obscene and objectionable acts. It is alleged that on 4.4.2019 the complainant's daughter went missing and it was on the next day when she returned that she informed that the petitioner had taken her to his house after gagging her mouth and had committed bad act with her.
3. The learned counsel for the petitioner has submitted that in the present case the petitioner as well as the complainant's daughter are both juvenile and

that, in any case, the petitioner as of now has been behind bars since the last about 8 months and that since the statement of the complainant and the victim have already been recorded further detention of the petitioner would not serve any purpose.

4. Opposing the petition, the learned State counsel has submitted that since serious allegations are levelled against the accused, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this court.
6. Keeping in view the fact that the petitioner has been behind bars since the last about 8 months and that the material witnesses have already been examined, further detention of the petitioner will not serve any useful purpose. Consequently, the revision petition is accepted and the impugned order dated 21.8.2019 passed by learned Additional Sessions Judge (Exclusive Court for Heinous Crimes Against Women and Children), Yamuna Nagar at Jagadhri and order dated 1.8.2019 passed by learned Principal Magistrate, Juvenile Justice Board, Yamunanagar are hereby set aside. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
7. The parents of the petitioner shall regularly monitor the movement of petitioner and ensure that the petitioner does not come in association with any known criminals and does not indulge in any other offence.

10.12.2019

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)
Judge**